

01-21-05

Op26611
JRV



Attorney Docket No. 01011/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

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In the event that this Paper is late filed, and the
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for the requisite extension of time, and to the extent not
tendered by credit card payment, authorization to
charge the extension fee, or any other fee required in
connection with this Paper to Account No. 06-1378.

Applicant(s): H. MATSUMOTO

Serial No. : 09/758,786

Filed : January 11, 2001

For : SDH TEST APPARATUS AND SDH
TEST METHOD

Art Unit : 2661

Examiner : NGUYEN, BRIAN D.

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(d) WITH STATEMENTS
UNDER 37 CFR 1.97(e), 37 CFR 1.704(d)
AND FEE (\$1.17(p))**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of a European Search Report dated January 7, 2005,
issued in the counterpart European application;
- (2) Copies of cited publications (except U.S. patents and
publications);
- (3) Form PTO/SB/08A; and
- (4) A form 2038 is enclosed to cover the USPTO fee of
\$180.00 as set forth under 37 CFR 1.17(p) for filing an
IDS at this stage of prosecution (after allowance and
before payment of the Issue Fee).

Authorization is given to charge any additional fees which
may be required, or to credit any overpayment, to Account No.
06-1378.

01/27/2005 AWONDAF1 00000116 09758786

01 FC:1806

180.00 OP

The European Search Report is in English, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609 III A(3)).

USP 5,983,365 listed on the attached form PTO/SB/08A is the U.S. family member of EP 0 727 892. See the Annex to the EPSR.

STATEMENT UNDER 37 CFR 1.97(e) (1)

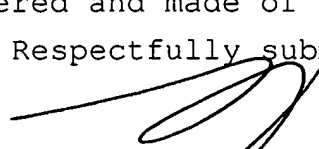
Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of January 7, 2004. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

STATEMENT UNDER 37 CFR 1.704(d)

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement.

It is requested that an initialed copy of the Form PTO/SB/08A be returned to indicate that the publications listed therein have been considered and made of record.

Respectfully submitted,


Leonard Holtz, Esq.
Reg. No. 22,974

Encls.

Dated: January 19, 2005

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PTO/SB/08A (08-00)

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Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	09/758,786	
		Filing Date	January 11, 2001	
		First Named Inventor	H. MATSUMOTO	
		Group Art Unit	2661	
		Examiner Name	NGUYEN, BRIAN D.	
Sheet	1	1	Attorney Docket Number	01011/LH

U.S. PATENT DOCUMENTS

Exam. Inits ¹	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		5,983,365	A	VAN DE POL ET AL	11-09-1999	

FOREIGN PATENT DOCUMENTS

Exam Inits ¹	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		GB	1 261 749	A	HEWLETT PACKARD	01-26-1972		
		WO	94/13073	A	NOKIA TELECOMMUNICATIONS	06-09-1994		
		EP	0 727 892	A	ALCATEL BELL NV	08-21-1996		
			*English Language Abstract only					

Examiner Signature		Date Considered	
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¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Unique citation designation number. ³ See kinds of U.S. Patent Documents. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Place a check here if English translation is attached.

DATE MAILED: January 19, 2005